

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

68-CR-8

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p><b>THE UNITED STATES</b></p> <p><i>vs.</i></p> <p>Charles Capper Tracy</p>	<p><i>For U. S.:</i></p> <p>James E. Ritchie</p>  <p><i>For Defendant:</i></p> <p><del>Rufus Coulter, Jr.</del>  <del>222 West Osborn Street</del>  <del>Phoenix, Arizona</del>  Warren L. McConnico  518 McBirney Bldg., Tulsa</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 1-31-68	Clerk				
J.S. 3 mailed 5-31-68	Marshal				
Violation Falsely made checks	Docket fee				
Title 18					
Sec. 2314					

DATE	PROCEEDINGS
1-12-68	Indictment filed in open court. w
1-12-68	Record vote of the Grand Jury filed in open court. w
1-12-68	Order by the Court that the bond of defendant be fixed in the sum of \$5,000. w
1-12-68	Warrant for arrest of defendant issued. w
3-11-68	Case set for arraignment on Tuesday, 4-9-68 at 10:00 A.M. (AEB-J)h
3-20-68	Warrant for arrest of defendant returned, filed - executed by arresting Charles Capper Tracy on 1-18-68 and releasing him on \$5,000.00 bond.
3-20-68	Appearance bond of the defendant in the sum of \$2,500.00 filed - surety National Automobile and Casualty Ins. Co, a Calif. Corp
3-20-68	Order specifying methods and conditions of release, filed. b
4-9-68	Defendant, Charles Capper Tracy, present and not represented, waived counsel at this arraignment. Defendant arraigned, advised as to the charge, received a copy of the indictment and enters pleas of NOT GUILTY as to each of Counts 1 and 2. Case will be set for jury trial and that the defendant is released on his present bond. (Luther Bohanon-Judge) (FS-CSR)

(OVER)

DATE	PROCEEDINGS
4-18-68	Ordered by the Court that this case is set for jury trial at 9:30 A.M. on Wednesday, May 15, 1968. (Luther Bohanon - Judge) b
5-13-68	Petition to withdraw as attorney of record, by Rufus C. Coulter, Jr., filed. w
5-13-68	Ordered by the Court that permission is granted for Rufus C. Coulter, Jr., to withdraw as attorney for defendant. (LB-J)w
5-15-68	Defendant present in person and represented by Warren L. McConnico, Ct. Appt. Counsel. Court permits defendant to withdraw plea of not guilty to Ct. 1 and defendant enters plea of GUILTY as to Count 1. It is adjudged that the defendant is guilty as charged in Ct. 1, and Ct. 2 is hereby dismissed upon motion of U.S. Attorney. Petition to enter plea of guilty signed and filed in open ct. Judgment and sentence passed to Monday, May 20, 1968, at 9:30 a.m. Court orders that defendant is not to leave Tulsa County before sentencing. (LB-J)w
5-15-68	Order of 5-14-68 appointing Warren L. McConnico as counsel, filed. (Allen E. Barrow - Judge) b
5-15-68	Return on subpoena to testify, filed. Served Howard Neptune on 5-2-68, Annie Marie Crummey on 5-6-68, and Charles H. McGill at on 5-6-68, all at Tulsa, Oklahoma. (\$2.48) (\$3.20) (\$2.00) Served Josephine Cummings on 4-22-68 at Phoenix, Arizona. (\$2.48). Served Central and Camelback Branch, Valley National Bank, Phoenix, Arizona, on 5-2-68. (\$2.00) ds
5-20-68	Defendant present in person and represented. Judgment and Sentence - Charles Capper Tracy, (Age 49), 18 U.S.C. 4208(a)(2) Attorney General vs Three (3) Years, / (LB-J) (Frank Sickles-CSR)w
5-20-68	Order of J&C filed and entered. (LB-J)w
5-20-68	Two c/c of J&C delivered to USM. w
6-5-68	Return on service of J&C filed. Executed by delivering defendant to Fed. Penitentiary at Leavenworth, Kansas on May 28, 1968. ,js

No. 68-CR-8

UNITED STATES COMMISSIONER  
Northern DISTRICT OF Oklahoma.

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE MILAM M. EWING

(Name of commissioner)

FEDERAL BUILDING, TULSA, OKLAHOMA.

(Address)

COMMISSIONER'S  
DOCKET No. 2 CASE No. 805  
THE UNITED STATES  
vs.  
CHARLES CAPPER TRACY

Complaint filed on June 14, 1967, by Clair B. Empey,  
Official title S/P Agt F.B.I., charging violation of  
United States Code, Title 18, Section 2314, on 3-31-67  
19, at Tulsa, Okla. in the  
division of the Northern district of Oklahoma.  
as follows did with unlawful & fraudulent intent,  
transport and caused to be transported in inter-  
state commerce from Tulsa, Okla., to Phoenix, Ariz.  
a falsely made and forged security, etc.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date June 14, 1967 Warrant/Summons for Charles Capper Tracy  
to (name and title of officer) To Any U. S. Marshal or Any Authorized U.S. Officer: (Name of defendant)  
Substance of return

Date Warrant/Summons for  
to (name and title of officer)  
Substance of return

FILED  
16912  
FEB 15 1968

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Arrested by Noble C. Hood  
on warrant of U. S. District Court (Name of issuing officer)  
without warrant.

Appearances { for United States (Name) (Address)  
for accused (Name) (Address)

Proceedings taken  
(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

if that is the fact; any adjournments taken, etc.

1-12-68: Above defendant indicted by Grand Jury on this date.

Milam M. Ewing, U.S. Commissioner.

Outcome

Bail fixed, 19 Amount, \$ Bonded, 19, by cash  
deposited by (name) Address  
transmitted to clerk of district court, 19 [or] by surety  
(name) Address  
(name) Address, who  
justified by affidavit dated, 19, [or] committed to  
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date\_\_\_\_\_ Appearances for \_\_\_\_\_

United States

(Name) \_\_\_\_\_

(Address) \_\_\_\_\_

Accused

(Name) \_\_\_\_\_

(Address) \_\_\_\_\_

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_, 19\_\_\_\_  
Proceedings taken\_\_\_\_\_

Outcome\_\_\_\_\_

Bail fixed \_\_\_\_\_, 19\_\_\_\_ Amount, \$ \_\_\_\_\_ Bonded \_\_\_\_\_, 19\_\_\_\_, by cash  
deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
transmitted to clerk of district court \_\_\_\_\_, 19\_\_\_\_  
[or] by surety (names) \_\_\_\_\_ Address \_\_\_\_\_  
and \_\_\_\_\_ Address \_\_\_\_\_  
who justified by affidavit \_\_\_\_\_, 19\_\_\_\_ Committed to \_\_\_\_\_  
on \_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this 16th day of February, 19 68

Transmitted to Clerk of United States District Court for the \_\_\_\_\_  
district of Oklahoma, Feb. 16th, 19 68

*M. M. Ewing*

United States Commissioner.

UNITED STATES COMMISSIONER  
DISTRICT OF ARIZONA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE

CHARLES P. THOMAS

(Name of commissioner)

PHOENIX

ARIZONA

(Address)

COMMISSIONER'S  
DOCKET NO. 2 CASE NO. 619  
THE UNITED STATES  
vs.

CHARLES CAPPER TRACY

Complaint filed on Jan. 12, 1968, by Grand Jury Indict.  
Official title \_\_\_\_\_ charging violation of  
United States Code, Title 18, Section 2314, on Mar. 31,  
1967, at Tulsa in the (2 counts).  
division of the Northern district of Oklahoma  
as follows: did transport & cause to be transported in  
interstate commerce from Tuls, Okla., to Phoenix,  
Ariz. a falsley made & forged security, to-wit:  
Check No. 163 dated March 24, 1967, Payable to C.  
C. Tracy, in the amount of \$40.00, drawn on the VNB

@ Phoenix, Ariz. & signed Jo Cummings, he then know-  
ing such check to be falsely made & forged.

WARRANTS OR SUMMONS ISSUED:

Date \_\_\_\_\_ Warrant/Summons for Count #2 Check #213 same as above in the  
to (name and title of officer) \_\_\_\_\_ amount of \$150.00.  
Substance of return \_\_\_\_\_

Date Jan. 12, 1968 Warrant/Summons for Charles Capper Tracy,  
to (name and title of officer) Any U. S. Marshal or any other authorized officer, Noble C. Hood.  
Substance of return Rec 1/18/68 and executed same by arrest of Charles Capper Tracy,  
on Jan. 18, 1968 by Charles E. Burrows Deputy U. S. Marshal.

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Jan. 18, 1968 Arrested by Henry Lawrence, FBI on warrant of Noble C. Hood.  
(Name of Issuing officer)  
without warrant.

Appearances { for United States \_\_\_\_\_  
(Name)  
for accused Mr. Rufus C. Coulter, Jr. \_\_\_\_\_  
(Address)

Proceedings taken The defendant was advised of his rights and of the Charges against

him. He said Mr. Rufus Coulter, Jr. is his attorney but could not be present

at this time. The arraignment was continued until 1/25/68 @ 2:30 P.M. to allow

the papers to arrive from Oklahoma and for Mr. Coulter to be present. The Def.  
was released on Surety Bond.

1/25/68 The Def. present with his attorney Mr. Coulter and asked for a  
continuance of the arraignment until 2:30 P. M. 2/15/68. Continued.

2/15/68 Mr. Tracy appeared with his attorney Mr. Coulter and signed "Waiver  
of Removal Forms" to be returned to the Northern District of Oklahoma.

Def. was instructed to report to the Distrit Court at Tulsa, Okla on 3/26/68

at 9:00 A. M. & was continued on surety bond.

Outcome Def. Bound over to U. S. District Court, Northern District of Oklahoma.

Bail fixed Jan. 18, 1968 Amount, \$ 2,500.00 Bonded January 18, 1968, by cash  
deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
transmitted to clerk of district court \_\_\_\_\_, 19 \_\_\_\_\_ [or] by surety  
(name) National Automobile & Casualty Insurance Co. Address \_\_\_\_\_  
(name) Reed Bail Bond Co. Local Agents. Address \_\_\_\_\_, who  
justified by affidavit dated \_\_\_\_\_, 19 \_\_\_\_\_, [or] committed to  
on \_\_\_\_\_, 19 \_\_\_\_\_

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date\_\_\_\_\_Appearances for\_\_\_\_\_

United States

(Name)

(Address)

Accused

(Name)

(Address)

WITNESSES FOR UNITED STATES:

(List names and addresses)

WITNESSES FOR ACCUSED:

(List names and addresses)

Witness payroll containing\_\_\_\_\_names certified to United States Marshal for payment\_\_\_\_\_, 19\_\_\_\_  
Proceedings taken\_\_\_\_\_

Outcome\_\_\_\_\_

Bail fixed\_\_\_\_\_, 19\_\_\_\_ Amount, \$\_\_\_\_\_ Bonded\_\_\_\_\_, 19\_\_\_\_, by cash  
deposited by (name)\_\_\_\_\_ Address\_\_\_\_\_  
transmitted to clerk of district court\_\_\_\_\_, 19\_\_\_\_  
[or] by surety (names)\_\_\_\_\_ Address\_\_\_\_\_  
and\_\_\_\_\_ Address\_\_\_\_\_  
who justified by affidavit\_\_\_\_\_, 19\_\_\_\_ Committed to\_\_\_\_\_  
on\_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this 16 day of Feb., 1945

Transmitted to Clerk of United States District Court for the  
district of ARIZONA, 2-16, 1945

Charles F. Thomas  
United States Commissioner.

FILE  
FEB 19 1945  
UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA  
BY \_\_\_\_\_ Deputy Clerk